

FILED

United States Court of Appeals  
Tenth Circuit

UNITED STATES COURT OF APPEALS

May 11, 2023

FOR THE TENTH CIRCUIT

Christopher M. Wolpert  
Clerk of Court

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ELMER PEREZ-JERONIMO,

Defendant - Appellant.

No. 22-2121  
(D.C. No. 22-CR-00414-KG-1)  
(D. N.M.)

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**ORDER AND JUDGMENT\***

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Before **BACHARACH, KELLY, and MORITZ**, Circuit Judges.

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Mr. Elmer Perez-Jeronimo pleaded guilty to one count of illegally reentering the United States after being removed. *See* 8 U.S.C. § 1326(a)–(b). The district court accepted the plea and sentenced Mr. Perez-Jeronimo to 24 months’ imprisonment and 1 year of supervised release. He appeals.

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\* We are proceeding without oral argument because it would not be helpful. *See* Fed. R. App. P. 34(a)(2)(C); 10th Cir. R. 34.1(G).

Our order and judgment does not constitute binding precedent except under the doctrines of law of the case, *res judicata*, and collateral estoppel. But the order and judgment may be cited for its persuasive value if otherwise appropriate. *See* Fed. R. App. P. 32.1(a); 10th Cir. R. 32.1(A).

Mr. Perez-Jeronimo's counsel seeks leave to withdraw, invoking *Anders v. California*, 386 U.S. 738 (1967), and stating that any appellate challenges would be frivolous. We gave Mr. Perez-Jeronimo an opportunity to respond with any additional arguments that he might have. But he did not file a response, and his deadline expired.

We agree with defense counsel that all potential grounds for appeal would be frivolous. So we grant the motion to withdraw and dismiss the appeal.

Entered for the Court

Robert E. Bacharach  
Circuit Judge